United Nations S/2003/112

Security Council

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Draft resolution

The Security Council,

Reaffirming its resolutions 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000 and 1379 (2001) of 20 November 2001, which provide a comprehensive framework for addressing the protection of children affected by armed conflict,

Further recalling its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1306 (2000) of 5 July 2000, 1308 (2000) of 17 July 2000, and 1325 (2000) of 31 October 2000, as well as all Statements of its President on children and armed conflict, and taking note of the Secretary-General's report on Women, Peace and Security of 16 October 2002 (S/2002/1154),

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children,

Underlining the need for all parties concerned to comply with the provisions of the Charter of the United Nations and with international law, in particular those regarding children,

Emphasizing the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children,

Underlining the importance of the full, safe and unhindered access of humanitarian personnel and goods and the delivery of humanitarian assistance to all children affected by armed conflict,

Welcoming the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,

Noting the fact that the conscription or enlistment of children under the age of 15 into the national armed forces or using them to participate actively in hostilities is classified as a war crime by the Rome Statute of the International Criminal Court, which recently entered into force,

Having considered the report of the Secretary-General of 26 November 2002 on the implementation of, inter alia, its resolution 1379 (2001),

1. *Supports* the Secretary-General's call for "an era of application" of international norms and standards for the protection of children affected by armed conflict;

03-23104 (E) 300103

2. *Encourages* the agencies, funds and programmes of the United Nations, within their respective mandates, to strengthen their cooperation and their coordination when addressing the protection of children in armed conflict;

3. *Calls upon* all parties to armed conflict, who are recruiting or using children in violation of the international obligations applicable to them, to immediately halt such recruitment or use of children;

4. *Expresses its intention* to enter into dialogue, as appropriate, or to support the Secretary-General in entering into dialogue with parties to armed conflict in violation of the international obligations applicable to them on the recruitment or use of children in armed conflict, in order to develop clear and time bound action plans to end this practice;

5. *Notes with concern* the list annexed to the Secretary-General's report, and calls on the parties identified in this list to provide information on steps they have taken to halt their recruitment or use of children in armed conflict in violation of the international obligations applicable to them, to the Special Representative of the Secretary-General for Children and Armed Conflict, bearing in mind the provisions of paragraph 9 of its resolution 1379 (2001);

6. *Expresses*, accordingly, its intention to consider taking appropriate steps to further address this issue, in accordance with the Charter of the United Nations and its resolution 1379 (2001), if it deems that insufficient progress is made upon the review of the next Secretary-General's report;

7. *Urges* Member States, in accordance with the United Nations Programme of Action on Small Arms and Lights Weapons to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons, to take effective action through, inter alia, conflict resolution and the development and implementation of national legislation, in a manner which is consistent with existing responsibilities of States under relevant international law, to control the illicit trade of small arms to parties in armed conflict that do not respect fully the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict;

8. *Calls upon* States to respect fully the relevant provisions of applicable international humanitarian law relating to the rights and protection of children in armed conflict, in particular the four Geneva Conventions of 1949, inter alia, the Convention relative to the Protection of Civilian Persons in Time of War;

9. *Reiterates* its determination to continue to include specific provisions for the protection of children in the mandates of United Nations peacekeeping operations, including provisions recommending child protection advisers on a case-by-case basis and training for United Nations and associated personnel on child protection and child rights;

10. *Notes with concern* all the cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crisis, including those cases involving humanitarian workers and peacekeepers, and requests contributing countries to incorporate the Six Core Principles of the Inter-Agency Standing Committee on Emergencies into pertinent codes of conduct for peacekeeping personnel and to develop appropriate disciplinary and accountability mechanisms;

11. *Requests* the agencies, funds and programmes of the United Nations, with support from contributing countries, to implement HIV/AIDS education and offer HIV testing and counselling services for all United Nations peacekeepers, police and humanitarian personnel;

12. *Calls upon* all concerned parties to ensure that the protection, rights and well-being of children are integrated into the peace processes, peace agreements and the post-conflict recovery and reconstruction phases;

13. *Calls upon* Member States and international organizations to ensure that children affected by armed conflict are involved in all disarmament, demobilization and reintegration processes, taking into account the specific needs and capacities of girls, and that the duration of these processes is sufficient for a successful transition to normal life, with a particular emphasis on education, including the monitoring, through, inter alia, schools, of children demobilized in order to prevent re-recruitment;

14. *Calls on* parties involved in armed conflict to abide by the concrete commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict and to cooperate fully with the United Nations system in the implementation of their commitments;

15. *Requests* the Secretary-General to ensure that in all his reports to the Security Council on country-specific situations, the protection of children in armed conflict is included as a specific aspect of the report;

16. *Further requests* the Secretary-General to submit a report by 31 October 2003 on the implementation of this resolution and of its resolution 1379 (2001) which would include, inter alia:

(a) Progress made by the parties listed in the Annex of his report in ending the recruitment or use of children in armed conflict in violation of international obligations applicable to them, taking into account the parties to other armed conflicts that recruit or use children which are mentioned in the report in accordance with paragraph 16 of resolution 1379 (2001);

(b) An assessment of violations of rights and abuses of children in armed conflict, including in the context of illicit exploitation and trafficking of natural resources and of illicit trafficking of small arms in conflict zones;

(c) Specific proposals on ways to ensure monitoring and reporting in a more effective and efficient way within the existing United Nations system on the application of the international norms and standards for the protection of children in situations of armed conflict in all its various aspects;

(d) Best practices on integrating the specific needs of children in armed conflict into disarmament, demobilization, rehabilitation and reintegration programmes, including an assessment of child protection advisers in peacekeeping and peace-building support operations, and on negotiations aimed at ending the recruitment or use of children in armed conflict in violation of international obligations applicable to the parties concerned;

17. *Decides* to remain actively seized of this matter.